



February 25, 2005

SENATE BILL No. 73

DIGEST OF SB 73 (Updated February 24, 2005 12:26 pm - DI 97)

Citations Affected: IC 8-2.1.

Synopsis: Contract carrier liability insurance. Sets the minimum requirement for financial responsibility of contract carriers that transport railroad employees at \$3,000,000, as permitted under federal law. (Current law sets the amount at that required by federal law, which currently requires at least \$1.5 million.)

Effective: July 1, 2005.

Steele

January 4, 2005, read first time and referred to Committee on Rules and Legislative Procedure.

February 15, 2005, amended; reassigned to Committee on Insurance and Financial Institutions.

February 24, 2005, amended, reported favorably — Do Pass.

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SB 73—LS 6189/DI 13+



February 25, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 73

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-2.1-22-46 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 46. (a) Notwithstanding
3 any other provision of this chapter, common and contract carriers and
4 other carriers engaged in the transportation of passengers or household
5 goods for hire, over regular or irregular routes, whether operating
6 pursuant to a certificate or permit or as an exempt carrier under section
7 2.1(5) of this chapter, shall file with the department proof of financial
8 responsibility in the form of surety bonds or policies of insurance or
9 shall qualify as a self-insured. The minimum level of financial
10 responsibility required shall be **as follows**:

11 **(1) For contract carriers other than those described in**
12 **subdivision (2), the minimum level established under ~~49 U.S.C.~~**
13 **~~10927(a)(1). 49 U.S.C. 31138.~~**

14 **(2) For contract carriers that transport railroad employees, at**
15 **least three million dollars (\$3,000,000), as permitted under**
16 **federal law.**

17 (b) A person who violates this section commits a Class C infraction.

SB 73—LS 6189/DI 13+



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1 However, the offense is a Class A misdemeanor if the person has a
2 prior unrelated judgment for violating this section.

3 (c) In addition to any other penalty imposed upon a person for a
4 conviction of a Class A misdemeanor under subsection (b), the law
5 enforcement agency may impound the vehicles owned by the person.
6 Unless the vehicle is impounded or forfeited under a law other than this
7 section, the vehicle shall be released to the carrier when the carrier
8 complies with this section.

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SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 73 and that Senator Steele be substituted therefor.

GARTON

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 73, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Insurance and Financial Institutions.

(Reference is to SB 73 as introduced.)

GARTON, Chairperson

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COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 73, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 13, delete "49 USC 31138." and insert "**49 U.S.C. 31138.**".

Page 1, line 15, delete "five million dollars (\$5,000,000)." and insert "**three million dollars (\$3,000,000), as permitted under federal law.**".

and when so amended that said bill do pass.

(Reference is to SB 73 as printed February 16, 2005.)

PAUL, Chairperson

Committee Vote: Yeas 7, Nays 1.

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